

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9558

IN THE MATTER OF:

Served May 12, 2006

Application of FELICIA E. MEDLOCK)	Case No. AP-2005-203
for a Certificate of Authority --)	
Irregular Route Operations)	

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

An applicant bears the burden of establishing financial fitness, operational fitness, and regulatory compliance fitness.¹ To establish operational fitness, an applicant must demonstrate the willingness and ability to provide safe and adequate service.²

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains rates for van transportation under a contract with Wayson's Bingo and rates for van transportation under the District of Columbia Medicaid program.

This is the second time applicant has proposed operating the Wayson's Bingo contract, which, as noted, calls for service in a van. The first time the application was denied for failure to establish operational fitness because applicant proposed operating the contract with a sedan.³ Applicant has resolved that issue by switching to a van.⁴

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy

¹ *In re Robert Gonzalez, t/a T.M.T.*, No. AP-02-55, Order No. 6738 (July 22, 2002).

² *Id.*

³ *In re Felicia E. Medlock*, No. AP-05-77, Order No. 8991 (Sept. 16, 2005).

⁴ The application also indicates that applicant still possesses a sedan, but no rates have been proposed for its operation.

that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 1218 shall be issued to Felicia E. Medlock, 14 Jefferson Street, N.E., Washington, DC 20011.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, SMITH, AND CHRISTIE:



William S. Morrow, Jr.
Executive Director